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Claims 1-2, 4-9, 12-14, and 26-29, all the claims pending in the application, stand rejected on prior art grounds. Applicants respectfully traverse the rejections based on the following discussion.

I. The Prior Art Rejections

Claims 1-2, 4-9, 12-14, and 26-29 stand rejected under 35 U.S.C. §102(e) as being anticipated by Chen (U.S. Patent No. 7,064,396). Applicants respectfully traverse these rejections based on the following discussion.

Applicants are submitting herewith a Declaration under 37 C.F.R. §1.131 to effectively swear behind Chen. The Rule 131 Declaration removes Chen (and any reference having a priority date of March 1, 2004 or later). Chen has a priority date of March 1, 2004. The accompanying Rule 131 Declaration makes clear that Applicants' claimed invention was conceived and reduced to practice at least prior to March 1, 2004. Thus, the Rule 131 Declaration effectively swears behind Chen.

II. Entry of Rule 131 Declaration Required

MPEP § 715.09(A) provides that a Rule 131 Declaration is considered timely submitted if it is submitted after a final rejection. The accompanying Rule 131 Declaration was not previously submitted because this is the first opportunity Applicants have had to review the newly cited Chen reference. Accordingly, the current Office Action provides a differing scope

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of reasoning that has not been previously made. Therefore, the attached Rule 131 Declaration swearing behind Chen is seasonably presented.

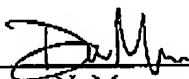
III. Formal Matters and Conclusion

The Rule 131 Declaration that accompanies this Response swears behind Chen, thereby overcoming the prior art rejections. In view of the foregoing, Applicants submit that claims 1-2, 4-9, 12-14, and 26-29, all the claims presently pending in the application, are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary. Please charge any deficiencies and credit any overpayments to Attorney's Deposit Account Number 09-0458.

Respectfully submitted,

Dated: 1/22/07


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